

July 13, 2018

Via ECF

Honorable Lorna G. Schofield
U.S. District Court for the Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, NY 10007

Re: *In re Foreign Exch. Benchmark Rates Antitrust Litig.*, No. 1:13-cv-07789-LGS

Dear Judge Schofield:

Pursuant to the Civil Case Management Plan and Scheduling Order entered in this action (“Scheduling Order”) (ECF No. 1014), Plaintiffs and Defendants Credit Suisse Securities (USA) LLC, Credit Suisse Group AG, and Credit Suisse AG (collectively, “Credit Suisse”) submit this joint status letter.

I. Pending Motions

Presently, there are no pending motions.

II. Discovery

Because certain interim discovery completion deadlines were not met by agreement of the parties, the parties are reserving their rights under §II.E.3 of the Scheduling Order to seek an adjustment of subsequent deadlines following the completion of the productions.

A. Credit Suisse

Data: Credit Suisse and Plaintiffs have completed their meet and confers regarding the outstanding data production.

Documents: Credit Suisse substantially completed its document production with its January 2018 production and thereafter made an additional production of documents previously withheld from production after the parties met and conferred regarding Credit Suisse’s privilege logs.

Audio: On February 5, 2018, the parties reached a preliminary agreement on Credit Suisse’s further production of audio files, which was based upon Plaintiffs’ January 24, 2018 proposal to Credit Suisse. Credit Suisse thereafter identified certain production issues regarding this audio, which it contends is burdensome, and has requested that Plaintiffs consider narrowing their request and/or sharing in the costs of a vendor solution to permit production in a reasonable timeframe. Plaintiffs then requested that Credit Suisse provide certain information to allow Plaintiffs to assess Credit Suisse’s claim of burden. After exchanging written correspondence and conducting telephonic conferrals, on July 5, 2018, Credit Suisse provided additional information related to the type and amount of audio files to be restored, the estimated timeframe that the restoration will take, and revised cost estimates of the restoration and production that it received from its vendor. Plaintiffs are currently considering this new information and the parties are continuing to meet and confer.

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B. Plaintiffs

Plaintiffs have completed their production of documents and data responsive to Defendants' First and Second Sets of Requests for the Production of Documents and each Plaintiff has been deposed.

Credit Suisse has issued subpoenas for documents and depositions of current and/or former investment managers and other third parties who provided services to Plaintiffs, including the Northern Trust Company, A.G. Bisset Associates LLC, M.S. Howells & Co., MF Global Inc., PartnersAdmin LLC, Daniels Trading, Segal Marco Advisors, Inc., Asset Consulting Group, Lerner Trading Group, LLC, Meketa Investment Group, Inc., Pershing LLC, PFGBest, Advantage Futures LLC, Blackrock Financial Management, Inc., Brandywine Global Investment Management, LLC, Klarity FX, Inc., and Oechsle International Advisors, LLC, Lazard Asset Management LLC, PanAgora Asset Management, Inc., Boston Company Asset Management, LLC, Fisher Investments, Hardman Johnson Global Advisors LLC, Loomis Sayles & Co., Causeway Capital Management LLC, Pacific Investment Management Company, LLC, State Street Corporation, and AllianceBernstein Institutional Investments, and have begun to receive documents responsive to these subpoenas. On April 6, 2018, Credit Suisse deposed A.G. Bisset Associates LLC.

III. Next Joint Status Letter

The parties will submit their next joint status letter on Friday, September 14, 2018.

Respectfully submitted,

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